

Appendix Y:

Maryland County APFO Fire and EMS References

Maryland County APFO Fire and EMS References

Test	Citation	Language
		"A development passes the test for adequate fire suppression facilities if in the scheduled completion year of the development the public water supply system, or a private fire protection water supply system approved by the Office of Planning and Zoning after consultation with the reviewing agencies, will be capable of providing adequate fire-flow. A development may be re-tested for adequacy of fire suppression facilities as a condition precedent to final plan approval and permit issuance."
Anne Arundel County Water Test	Anne Arundel County Code 17-5-301	"A. Fire protection services and facilities for the area in which the subdivision is located shall be adequate to protect the lives and property of the residents of the subdivision. B. Where it deems necessary, the Planning Commission shall request an evaluation from the appropriate authority as to the adequacy of the fire protection services and facilities."
Caroline County No Test	Caroline County Code 162-42	"Fire and emergency medical services. Services are adequate if: 1. Total number of late and no responses is less than 15%, and the total number of no responses is less than 4% measured on a 24-month basis, updated monthly; 2. Using an average over the previous 24 months, response time is eight minutes or less from time of dispatch to on-scene arrival with adequate apparatus and personnel; and 3. All bridges and roads for the most direct route or acceptable secondary route to the project site are adequate to support fire and emergency response apparatus."
Carroll County Response Time Analysis	Carroll County Code 156.05	See attached document for full language. "An existing water source with all-weather access is available within four round-trip miles driving distance. "All-weather access" is defined as a location that provides access to water every day of the year, that is capable of supporting the weight of a fully loaded tanker and has sufficient room to allow a tanker to turn around. The water source must be accessible to the fire department using no more than 20 feet of hard sleeve. The existing water source must meet the criteria established in the Adequate Public Facilities Manual. If existing water source is not available, then the applicant must mitigate by providing a water source within four round-trip miles driving distance of the proposed usable area of each new building lot."
Charles County Water Supply in Rural Areas	Charles County Code 297-261	
Harford County No Test	Harford County Code 267-126	"An analysis of the need for additional fire, library and public safety services based on the County's population; and list of approved capital projects, contained in the Capital Improvement Program, related to fire, library or public safety facilities."

Montgomery County

No Test

Montgomery County APFO

"Public facilities and services to be examined will include roads and public transportation facilities, sewerage and water service, schools, police stations, firehouses, and health clinics."

Prince George's County

No Test

Prince George's County Code Sec. 24-122.01

"Fire and rescue facilities. Before any preliminary plan may be approved, the Planning Board shall find that:

A. The population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision will be within the adequate coverage area of the nearest fire and rescue station(s) as determined by the Planning Board in the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" as may be amended from time to time; or

B. An adequate fire and rescue station(s) available to serve the population and/or employees generated by the proposed subdivision has been programmed with one hundred percent of the expenditure for the construction of such a facility within the adopted County Capital Improvement Program as determined under the "Guidelines", provided, however, that if construction of such improvements has not commenced within nine years after the first year the project is fully funded in an adopted County Capital Improvement Program, the preliminary plan may not be ... " See attached.

St. Mary's County

Adequate Water

St. Mary's County Code Article 7, Chapter 70, Section 12

Washington County

No Test

Washington County APFO

Only required for industrial and commercial development - See attached.

"The proposed development shall be adequately served by fire suppression facilities. The specific requirements depend on whether the proposed development will be served by a public water system or private wells. A proposed development shall be considered to be adequately served by fire suppression facilities if according to the following requirements:

A. Public Water : It is served at the time of issuance of the first occupancy permit by an approved public (central) water supply system or multi-user water supply system capable of providing fire flow in accordance with the St. Mary's County Metropolitan Commission Standards and Specifications for Water and Sewage Construction and the St. Mary's County Building Code and consistent with the County's comprehensive Water and Sewerage Plan for that type of development; or - See attached.

~~297-259. Sewerage system.~~
(Reserved for future inclusion.)

~~§ 297-260. Water supply system.~~

No final plat for a residential subdivision or site plan for commercial or industrial development requiring a groundwater appropriation permit shall be approved until such permit is issued by the Water Resources Administration of the State Department of Natural Resources. It is the intent of this chapter that water supplies serving existing residential, commercial and industrial users shall not be adversely affected by the water use of new development.

~~§ 297-261. Fire suppression for rural areas.~~

[Added 9-2-2002 by Ord. No. 02-79]

- A. To address the fire suppression needs of the rural areas, this section will meet the following objectives:
- (1) Establish a reliable and effective fire protection program in the rural areas to address the impact of new development on fire suppression capabilities,
 - (2) Develop alternatives which will accomplish adequate fire suppression in the rural areas with the cooperation of fire companies which serve these areas.
 - (3) Improve water supply for fire suppression in rural, nonhydrant areas.
- B. This section applies to areas that are classified as properties having a W6 water service category, as defined by the Comprehensive Water and Sewer Plan. This section will apply to the creation of more than five buildable lots after the adoption of this section and being part of a major subdivision. No preliminary plan of such a residential shall be approved unless the following criteria have been met:
- (1) An existing water source with all-weather access is available within four round-trip miles driving distance. "All-weather access" is defined as a location that provides access to water every day of the year, that is capable of supporting the weight of a fully loaded tanker and has sufficient room to allow a tanker to turn around. The water source must be accessible to the fire department using no more than 20 feet of hard sleeve. The existing water source must meet the criteria established in the Adequate Public Facilities (APF) Manual.
 - (2) If an existing water source is not available, then the applicant must mitigate by providing a water source within four round-trip miles driving distance of the proposed usable area of each new building lot.
 - (3) Refer to the APF manual for specific details and explanations. The mitigation must comply with the design criteria in the Water and Sewer Ordinance.^[1]
[1]: Editor's Note: See Ch. 297, Water and Sewers.
 - (4) The developer may recover costs of improvements for rural fire suppression through the reimbursements policy set forth in Section 5.7 of the Water and Sewer Ordinance. Those developers within the service area of the rural fire suppression facility must participate in the reimbursement, if required by the Water and Sewer Ordinance.

~~§ 297-262. Stormwater management facilities.~~

Sec. 24-122.01. Adequacy of public facilities.

(a) The Planning Board may not approve a preliminary plan of subdivision if it finds that adequate public facilities do not exist or are not programmed for the area within which the proposed subdivision is located, as defined in the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" and "Guidelines for the Analysis of the Traffic Impact of Development Proposals." The Planning Board shall require adequate public facilities, as provided in this Section and in Division 4 of this Subtitle.

(b) Water and sewerage.

(1) The location of the property within the appropriate service area of the Ten Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary plan or final plat approval; and

(2) Applications filed on or after October 1, 2012, pursuant to the Sustainable Growth Act Section 9-206 of the Environment Article, the following restrictions apply to residential subdivisions:

- (i) Tier I All lots shall be served by public sewer.
- (ii) Tier II All lots shall be served by public sewer; or if the subdivision is a minor subdivision it may be served by on-site sewer disposal systems.
- (iii) Tier III All lots shall be served by on-site sewer disposal systems.
- (iv) Tier IV All lots in a minor subdivision shall be served by on-site sewer disposal systems. A residential major subdivision served by on-site sewer disposal systems is not permitted.

(c) Police facilities.

(1) Before any preliminary plan may be approved, the Planning Board shall find that:

(A) The population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision will not exceed the service capacity of existing police stations as determined by the Planning Board in the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" as may be amended from time to time; or

(B) An adequate police facility available to serve the population and/or employees generated by the proposed subdivision has been programmed with one hundred percent (100%) of the expenditures for the construction of such a facility within the adopted County Capital Improvement Program as determined under the "Guidelines"; or

(C) That improvements participated in or funded by the subdivider, including participation in a specific Public Facilities Financing and Implementation Program as defined in Section 27-107.01(186.1), will alleviate any inadequacy as determined under the "Guidelines."

(d) Fire and rescue facilities.

(1) Before any preliminary plan may be approved, the Planning Board shall find that:

(A) The population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision will be within the adequate coverage area of the nearest fire and rescue station(s) as determined by the Planning Board in the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" as may be amended from time to time; or

(B) An adequate fire and rescue station(s) available to serve the population and/or employees generated by the proposed subdivision has been programmed with one hundred percent (100%) of the expenditures for the construction of such a facility within the adopted County Capital Improvement Program as determined under the "Guidelines", provided, however, that if construction of such improvements has not commenced within nine (9) years after the first year the project is fully funded in an adopted County Capital Improvement Program, the preliminary plan may not be

considered and approved by the Planning Board based upon future construction until such facilities are actually constructed; or

(C) That improvements participated in or funded by the subdivider, including participation in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1), will alleviate any inadequacy as determined under the "Guidelines."

(2) Before any preliminary plan may be approved, if the location of the property proposed for subdivision is outside the appropriate service area of the Ten Year Water and Sewerage Plan or is in the Rural Tier, the Planning Board shall require the subdivider to provide water storage tanks, the availability of water tanker trucks, or other appropriate source of water for fire extinguishing purposes.

(e) Data Collection by Office of Audits and Investigations and Office of Management and Budget.

(1) Except as provided in Subsection (3) below, the Chief of Police and the Fire Chief shall submit the following information to the County Office of Audits and Investigations, County Office of Management and Budget, and the Planning Board:

(A) For Police personnel, a statement of authorized strength of sworn officers of at least:

(i) Ninety percent (90%) of an authorized strength of One Thousand Four Hundred Twenty (1,420) equaling One Thousand Twelve Hundred Seventy Eight (1,278) sworn officers on and after December 31, 2004;

(ii) Ninety-five percent (95%) of an authorized strength of One Thousand Four Hundred Twenty (1,420) equaling One Thousand Three Hundred Forty Nine (1,349) sworn officers on and after December 31, 2005; and

(iii) One Hundred percent (100%) of an authorized strength of One Thousand Four Hundred Twenty (1,420) sworn officers on and after December 31, 2006;

(B) For Fire personnel, a statement of authorized strength of fire and rescue personnel of at least:

(i) Ninety-five percent (95%) of an authorized strength of Six Hundred Ninety Two (692) equaling Six Hundred Fifty Seven (657) fire and rescue personnel on and after December 31, 2004; and

(ii) One Hundred percent (100%) of an authorized strength of Six Hundred Ninety Two (692) fire and rescue personnel on and after December 31, 2005.

(C) A statement reflecting adequate equipment pursuant to studies and regulations used by the County, or the Public Safety Master Plan for police and fire stations in the vicinity of the area proposed for subdivision; and

(D) A statement by the Police Chief that the rolling twelve-month average, adjusted monthly, for response times in the vicinity of the property proposed for subdivision is a maximum of twenty-five (25) minutes total for non-emergency calls and a maximum of ten (10) minutes total for emergency calls for service. Prior to January 2006, the Police Chief shall calculate the cumulative average response times beginning with the January 2005 response time data. In this Section, total time means the length of time from the call for service until the arrival of Police personnel on-scene or other appropriate police response.

(E) A statement by the Fire Chief that the response time for the first due station in the vicinity of the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for calls for service during the preceding month.

(2) If any of the required statements in this Subsection are not provided that meet the criteria specified in this Section on the date the application is accepted by the Planning Board or within the following three (3) monthly cycles of response time reports, then the Planning Board may not approve the preliminary plan until a mitigation plan between the applicant and the County is entered into and filed with the Planning Board.

(3) The provisions of Subsection (c)(1) shall not apply to commercial or industrial applications for preliminary plans.

(4) The governing body of the County may waive any surcharge imposed within the developed tier.
(CB-48-1981; CB-83-1987; CB-100-1989; CB-3-1997; CB-89-2004; CB-56-2005; CB-25-2008; CB-104-2012)

Editor's Notes:

CR-26-2006 provides clarification of language in this Section related to the collection and reporting of data concerning the authorized strength of sworn police officers and qualified fire and rescue personnel.

CR-69-2006 temporarily suspends the staffing requirements of Section 24-122.01(e)(1)(A,B) and provides that any preliminary plan of subdivision that has been denied since January 1, 2006 due to these requirements may be reconsidered by the Planning Board.

CR-83-2012 adopted the County's Sustainable Growth Tier Map pursuant Section 9-206 of the Environment Article of the Maryland Annotated Code. The Growth Tiers depicted therein identify where major and minor residential subdivisions may develop and the type of sewage disposal system that will serve them.

St. Mary's County Comprehensive Zoning Ordinance
Article 7. SITE DEVELOPMENT AND RESOURCE PROTECTION STANDARDS

(2) One-hundred and nine percent (109%) of the cumulative state-rated capacity of all middle schools in the County, or

(3) One-hundred and sixteen percent (116%) of the cumulative state-rated capacity of all high schools in the County;

The calculation of available state rated capacity shall include such capacity of existing schools, plus the proposed capacity of additional schools and school improvements that are programmed within the first three years of the Capital Improvements Program, and sites for such additional schools are owned or controlled by the County or by the Board of Education; and

- b. Where the development proposal is for phased construction, adequate capacity is projected to be available, pursuant to school enrollment projections for the schools serving the proposed development before each phase has begun.

70.12. Fire Prevention and Suppression.

1. These provisions shall be administered in conjunction with the St. Mary's County Metropolitan Commission and County Fire Board.

2. *Determining Adequacy.* The proposed development shall be adequately served by fire suppression facilities. The specific requirements depend on whether the proposed development will be served by a public water system or private wells. A proposed development shall be considered to be adequately served by fire suppression facilities if according to the following requirements:

- a. *Public Water.* The proposed development shall be considered to be adequately served by fire suppression facilities if:

- (1) It is served at the time of issuance of the first occupancy permit by an approved public (central) water supply system or multi-user water supply system capable of providing fire flow in accordance with the St. Mary's County Metropolitan Commission Standards and Specifications for Water and Sewage Construction and the St. Mary's County Building Code and consistent with the County Comprehensive Water and Sewerage Plan for that type of development; or

- b. *Private Wells.* The proposed development shall be considered to be adequately served by fire suppression facilities if:

- (1) Fire flow and storage capabilities are installed in accordance with NFPA 1142 Standard on Water Supplies for Suburban and Rural Fire-fighting, when buildings are "grouped" as defined by NFPA 1142.

- (2) Water for fire suppression shall be provided in accordance with NFPA 1142 Standard on Water Supplies for Suburban and Rural Fire Fighting. The water source shall be provided, unless specific exemption is given for the installation of a sprinkler system by the fire department in whose area the premises lie or the amount of water carried on fire apparatus responding on the first alarm is greater than required by the standard. When a static water source is approved a dry hydrant with all weather access shall be provided to facilitate the fire department taking draft from the source. Water for fire suppression shall be available:

- (a) Within 1,000 feet of all single buildings under 12,000 sq. ft. area and
(b) On site for all single buildings over 12,000 sq. ft. area.

- 1 3. Fire protection measures shall be required to progress with construction in planned groups of
2 buildings in accordance with NFPA 1141, Standard for Fire Protection in Planned Building
3 Groups.
- 4 4. Private fire service mains and their appurtenances shall be installed in accordance with NFPA 24
5 Standard for Installation of Private Fire Service Mains and Their Appurtenances.
- 6 **70.13. Update of Standards, Criteria, and Procedures for Adequate Public Facilities Analyses.**
7 The County Commissioners shall consider revisions to adopted standards, criteria, and procedures for
8 adequate public facilities analyses on at least a biannual basis. As part of this process, the County
9 Commissioners shall hold a public hearing prior to the adoption of additional specific standards, criteria,
10 and procedures for determining the adequacy of public facilities. Such a hearing shall comply with the
11 requirements and procedures for text amendments to this Ordinance.
- 12 **70.14. Grandfathering.**
13 All complete applications for minor residential subdivisions submitted to the TEC prior to September 4,
14 2008 are exempt from the school adequacy requirements of this chapter, as are all approved Planned Unit
15 Developments (PUDs) that have satisfied APF requirements.

Washington County

ARTICLE VIII - FIRE PROTECTION IN ADOPTED AREAS WHERE PUBLIC OR MULTI-USE WATER SYSTEM IS NOT AVAILABLE

It is the intent of this Article of the Ordinance to ensure that adequate fire protection capability is provided in new commercial and industrial developments in adopted Urban or Town Growth Areas designated in the Comprehensive Growth Plan of Washington County, Maryland where public water is not currently available but is expected to be available within two (2) years. These systems shall be known as interim fire protection systems.

8.1 DETERMINATION OF NEED FOR INTERIM FIRE PROTECTION SYSTEMS

A commercial or industrial development shall provide an interim fire protection system if:

8.1.1 The Planning Commission determines that the commercial or industrial development is located substantially within adopted growth areas, and

8.1.2 A public water supply and distribution system is not available or scheduled in the Capital Improvements Program of any responsible agency to be in service within two (2) years, and

8.1.3 The commercial or industrial development proposes more than 2,000 square feet of new commercial, industrial or institutional enclosed area.

8.2 ADEQUACY DETERMINED

8.2.1 The adequacy of an interim fire protection system in the proposed commercial or industrial development shall be determined by the Planning Commission after receiving the recommendations from the Hagerstown Water Department, the Washington County Water & Sewer Department, municipal governments or any other properly established agency including organizations charged with fire protection with the legal authority and responsibility to construct, maintain, improve or permit hook up to the water supply system.

8.3 GENERAL DESIGN

The interim fire protection system shall be capable of providing the same level of fire protection service as if it were hooked up to a public water supply and distribution system.

8.4 PROCEDURES AND STANDARDS

The procedures and standards established by the Maryland State Fire Marshal shall be used in the design, review, approval and installation of the interim fire protection system.